

## MEMORANDUM

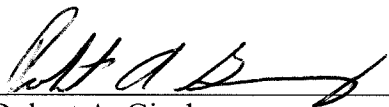
Not On  
Agenda Item No. 10(A)(11)

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<b>TO:</b>	Honorable Chairperson Barbara Carey-Shuler, Ed.D. and Members, Board of County Commissioners	<b>DATE:</b>	December 4, 2003
<b>FROM:</b>	Robert A. Ginsburg County Attorney	<b>SUBJECT:</b>	Resolution urging Congress to designate the U.S. Courthouse at 400 North Miami Avenue as the "Wilkie D. Ferguson, Jr. United States Courthouse"

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The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Dorrin D. Rolle, Chairperson Barbara Carey-Shuler, Ed.D. and Commissioner Jimmy L. Morales.

  
\_\_\_\_\_  
Robert A. Ginsburg  
County Attorney

RAG/bw



# MEMORANDUM

(Revised)

**TO:** Hon. Chairperson Barbara Carey-Shuler, Ed.D.  
and Members, Board of County Commissioners

**DATE:** December 4, 2003

**FROM:** Robert A. Ginsburg  
County Attorney

Not On  
**SUBJECT:** Agenda Item No. 10(A)(11)

Please note any items checked.

- ☒ **"4-Day Rule" ("3-Day Rule" for committees) applicable if raised**
- ☐ **6 weeks required between first reading and public hearing**
- ☐ **4 weeks notification to municipal officials required prior to public hearing**
- ☐ **Decreases revenues or increases expenditures without balancing budget**
- ☐ **Budget required**
- ☐ **Statement of fiscal impact required**
- ☐ **Bid waiver requiring County Manager's written recommendation**
- ☐ **Ordinance creating a new board requires detailed County Manager's report for public hearing**
- ☒ **Housekeeping item (no policy decision required)**
- ☐ **No committee review**

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Not On  
Agenda Item No. 10(A)(11)  
12-4-03

RESOLUTION NO. \_\_\_\_\_

RESOLUTION URGING CONGRESS TO DESIGNATE THE  
UNITED STATES COURTHOUSE LOCATED AT 400 NORTH  
MIAMI AVENUE, MIAMI, FLORIDA, AS THE "WILKIE D.  
FERGUSON, JR. UNITED STATES COURTHOUSE"

**WHEREAS**, the late U.S. District Court Judge Wilkie D. Ferguson, Jr. was an exceptional public servant, jurist and role model; and

**WHEREAS**, Wilkie D. Ferguson, Jr. was born on May 11, 1938, to Bahamian immigrants; and

**WHEREAS**, despite humble beginnings, Judge Ferguson received his B.S. in Business Administration and Accounting from Florida A & M University, became certified in Fundamentals of Computer Programming at Philco Technological Institute in Philadelphia and earned his Masters Degree in Financial Administration from Drexel University, also in Philadelphia; and

**WHEREAS**, Judge Ferguson continued on to Howard University in Washington, D.C. where he obtained his J.D. degree; and

**WHEREAS**, in the Civil Rights Division of the old U.S. Department of Health, Education and Welfare, and as a staff attorney for Legal Services of Greater Miami, Judge Ferguson learned firsthand about the problems that ordinary people face in their everyday lives and how the legal system and our courts are often their only recourse for justice; and

**WHEREAS**, Judge Ferguson was the first black jurist appointed to the Miami-Dade Circuit Court and Third District Court of Appeal; and

**WHEREAS**, Judge Ferguson's wisdom, competence and reputation for fairness as a state court judge for three decades resulted in his elevation to the federal bench in 1993; and

**WHEREAS**, Judge Ferguson was a scholar who produced several articles, including "Federal Drug Laws Harsh on Poor and Minorities," "Expert Witnesses in Patent Cases," "Confidential Informants and Jailhouse Testimony: Are Jurors Turned Off?" and "Privacy In The Computer Age"; and

**WHEREAS**, over the years Judge Ferguson received numerous honors and accolades including the William H. Hastie Award, the "Courage and Scholarship in Legal Writing" National Bar Association Award, the Champions of Higher Independent Education in Florida Award, the United Way of Dade County Distinguished Service Award and the South Florida Chapter of the American Society for Public Administration Award; and

**WHEREAS**, Judge Ferguson was a trailblazer who presided over a number of extremely significant cases, and leaves a substantial judicial legacy including, among others, a 1980 Circuit Court ruling that blacks cannot be systematically excluded from a jury; and

**WHEREAS**, Judge Ferguson's rulings have also been credited with improving the lives of thousands of disabled persons; and

**WHEREAS**, Judge Ferguson was an outstanding individual and exemplary jurist who was experienced, fair, humble, compassionate, knowledgeable and firmly committed to equal justice for all; and

**WHEREAS**, Judge Ferguson's death is a huge loss to the Federal judiciary, to our community and to the nation; and

**WHEREAS**, the Commission believes that the new U.S. Courthouse in Miami-Dade County, Florida, should be named after the late U.S. District Court Judge Wilkie D. Ferguson, Jr.,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that:

Section 1. The Board urges Congress to designate the United States Courthouse located at 400 North Miami Avenue in Miami, Florida, as the "Wilkie D. Ferguson, Jr. United States Courthouse."

Section 2. The Clerk of the Board is directed to transmit a certified copy of this resolution to the members of Florida's Congressional delegation.

The foregoing resolution was sponsored by Commissioner Dorrin D. Rolle, Chairperson Barbara Carey-Shuler, Ed.D. and Commissioner Jimmy L. Morales and offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Dr. Barbara Carey-Shuler, Chairperson	
Katy Sorenson, Vice-Chairperson	
Bruno A. Barreiro	Jose "Pepe" Diaz
Betty T. Ferguson	Sally A. Heyman
Joe A. Martinez	Jimmy L. Morales
Dennis C. Moss	Dorrin D. Rolle
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 4<sup>th</sup> day of December, 2003. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

GKS

Gerald K. Sanchez